



July 2010

City of Wichita's False Alarm Penalties and Procedures

CHAPTER 3.40 ALARM SYSTEMS SUMMARY

The objective of this ordinance is to reduce the number of false alarms which are generated each day within the City of Wichita so that emergency personnel are free to respond to real emergencies. On average, 98% of the alarm dispatches called into the Emergency Communications Center on a daily basis are false alarms. Many of these alarms are due to accidental tripping of the alarm, a pet tripping the alarm, initial testing of the equipment, improperly installed or adjusted equipment, or faulty equipment. Whatever the reason, Wichita emergency personnel resources are dispatched for each alarm called into the Emergency Communications Center by an alarm business. **The False Alarm Response fee is based on the alarm business dispatch calls to the Emergency Communications Center reporting the alarm; the fees are not based on emergency response.**

The following information is a summary of the City of Wichita Chapter 3.40 Alarm Systems Ordinance and is not intended to cover everything included within the ordinance. Whenever summarization creates a conflict, the official ordinance governs. **A copy of the entire ordinance is available for your review at the City Clerk's office or directly from the Internet at www.wichitapolice.com.**

In summary, Chapter 3.40 Alarm Systems states the following:

1. **Require Operational Practices.** When an alarm business leases or installs an alarm system:
 - a. Installation must comply with the City's Alarm Systems Ordinance.
 - b. Obtain the proper permit for those jobs requiring permits and inspections.
 - c. The alarm business shall offer service for that alarm system on a twenty-four hour, seven-day-a-week basis and have a person located within Sedgwick County responsible for repair and maintenance of the alarm system. This information shall be provided in writing at the time of the lease or installation.
 - d. The alarm user shall be provided written instructions on how to operate the system and any user maintenance, which may be required. The written instruction will be in clear, concise language the alarm user can read and understand.
 - e. When an alarm user elects to have city emergency personnel as the first response after an alarm activation, it shall be the responsibility of the alarm business to:
 - 1) Provide the alarm user, at the time of the lease or installation of the alarm system, a written copy of the City of Wichita's false alarm penalties and procedures.
 - 2) Register, with the Alarm Administrator, each alarm system monitored by the business, prior to commencement of monitoring. Registration fee is twenty-five dollars (\$25.00) per alarm user. Such registration is shall be effective for a period of twelve months from the date of issuance.
 - 3) Renewal on the alarm registration will be mailed directly to the Alarm User from the City on the anniversary date of issuance.
 - 4) Notify the Alarm Administrator of termination of monitoring and changes in ownership of property.
 - 5) Re-register alarm users every time they change monitoring companies. Alarm user registrations are not transferable.
 - 6) Attempt to contact alarm user by telephone or other electronic means, prior to contacting the communication center, to verify that the alarm is valid.
 - 7) Provide the alarm user's permit number, name, and address when contacting the communications center.
 - 8) At the time of licensing or renewal of a license issued pursuant to this chapter, the alarm business shall submit to the Alarm Administrator, or a designated representative, a current and complete customer list in a format acceptable to the Alarm Administrator. Such information shall remain confidential.

NOTE: Only those alarm users that request city emergency personnel as the first response after an alarm activation are required to be registered. If an alarm user elects private security personnel as the first response, pre-registration is not necessary. If private security personnel respond to an alarm and determine the alarm is a valid alarm that requires city emergency personnel to respond, the private security personnel may contact the communications center to request assistance at no charge to the alarm user.

2. **Response Fee Assessed to Alarm Users for False Alarms.** The user of an alarm system to which city law enforcement or fire personnel are requested to respond to a false alarm shall be charged a false alarm response fee for each false alarm:

NUMBER OF ALARMS	FALSE ALARM FEE – SECURITY ALARMS	FALSE ALARM FEE– FIRE ALARM
1	\$0	\$0
2	\$40	\$100
3	\$40	\$100
4	\$60	\$150
5	\$60	\$150
6	\$120	\$300
7 – 9	\$200	\$500
10 th or more	\$350	\$750

3. **No Response Fee Shall be Charged to Alarm Users for the Following Reasons:**
- For the first alarm, regardless of type, each registration year, provided that the Alarm User, at the time of the false alarm does not owe outstanding response or administrative fees;
 - When it is reasonable to assume that the alarm was due to violent conditions of nature including an electrical storm which have been verified by the National Weather Service to have been in the area where the alarm system is located at the time of the activation
 - Cable, line or power failure which has been specifically verified by the appropriate utility company serving the alarm location
 - For those alarms where the communications center is notified within four (4) minutes of receipt of notification of the alarm that city emergency personnel are not required. The Emergency Communications Center requires that the monitoring company cancel the dispatch.
 - For those alarms resulting from valid situations requiring an urgent response by law enforcement, fire or medical personnel as verified by a report filed by such personnel.
4. If an alarm is received by the communications center from an alarm system which has not been registered with the City, as required in section 3.40.070, and administrative penalty of one hundred fifty dollars shall be assessed against the alarm business for having failed to register the system.
5. If an alarm is received by the communications center from an alarm system which registration has expired, an administrative penalty of one hundred fifty dollars shall be assessed to the Alarm User for having failed to renew the registration of the system as required in Section 3.40.115.
6. **Appeals Process for Alarm Users.** Should a disagreement arise over whether any particular response fee or administrative penalty should be assessed, the facts surrounding the circumstances of the alarm activation shall within thirty (30) days of the date of the first invoice for the alarm, be presented in writing by the Alarm User or alarm business along with a ten dollar (\$10.00) administrative fee to the Alarm Administrator. When determining whether or not to appeal, the alarm user should review the items listed in number (3a) through (3e) above and the City Ordinance definition of a False Alarm listed below. When an appeal is received, the appeal reasons are compared to those items to determine whether or not the response fee should be charged. In the event of determination that no response fee should be assessed, the ten dollar (\$10.00) administrative fee shall be refunded. Appeals should be sent to the Alarm Administrator, City of Wichita Police Department, 455 N. Main - 4th Floor, Wichita KS 67202-1600. Please see the complete false alarm ordinance for procedures and consideration given to appeals.
7. The false alarm fee or administrative penalty shall be due and payable to the Alarm Administrator or designated representative within thirty days after receipt of notification that such fee is due. Further, if the fee is not paid within sixty days of such notification, a late fee in the amount of ten dollars (\$10.00) per alarm call shall be added to the amount due. An additional late fee of ten dollars (\$10.00) is added at ninety days if left unpaid. Following notice to the Alarm User or alarm company, the account may be turned over for collection. The City Attorney is authorized to use any legal means to recover the administrative penalties and fees assessed by this chapter.

“False Alarm” means 1) the activation of an alarm system in the City resulting in an urgent response by law enforcement, fire or emergency medical personnel when a situation requiring an urgent response does not, in fact, exist at the time of activation of the alarm; or 2) an alarm designated to be used to report a robbery or hold up, when used for any other purpose.